

**TOWN OF WEST HARTFORD
ZONING BOARD OF APPEALS
WEDNESDAY, MARCH 20, 2019
DRAFT MINUTES**

ROLL CALL: 7:00 PM

ATTENDANCE: Chair: Grise; Commissioners: Mike D'Amato; Todd Doyle; Michael Johnson; Alternate: Morales; Brian Pudlik, ZEO and Secretary to ZBA, Brittany Bermingham, AZEO

The Zoning Board of Appeals met in the Legislative Chamber, Room 400, 50 South Main Street, West Hartford on Wednesday, March 20, 2019, at 7:00 p.m., to hear and act on the following petitions:

#01-19 **24 Lindy Lane** – Petition of S. Goodwin for renewal of a Special Exception in order to hold yoga instruction classes to one student at a time as a Customary Home Occupation accessory to the residence per section 177-49(C) of the West Hartford zoning ordinances, for a period of three (3) years, per plans on file. **R-10 zone**

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner Doyle made a motion to grant the petition. Second by Commissioner Johnson. The Board made its decision to grant the petition with the following conditions:

1. **This permission is granted for a period of three (3) years.**
2. **The hours of operation shall be:**
 7 days a week: 9:00a.m.-5:00p.m.
 By appointment only; One client per day
3. **The premises shall be maintained in a manner satisfactory to the Zoning Board of Appeals and the Zoning Enforcement Officer.**
4. **No signage.**
5. **No employees.**
6. **Client parking must be on the driveway, on site.**

VOTE: 5-0 **Voting in favor were Commissioners D'Amato, Doyle, Grise, Johnson, and Morales**
Opposed - 0

Petition Approved.

#02-19 **977 New Britain Avenue** – Petition of West Hartford No. 2, LLC requesting a variance to section 177-8(E)(2)(a), Special flood hazard area. Requesting a variance to the requirement that all new structures in SFHA Zones A or AE shall have the bottom of the lowest floor elevated two (2) feet above the base flood elevation (BFE) for the construction of a new 7,422 square foot retail building at an elevation one (1) foot above the BFE, per plans on file. **BG zone**

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner Doyle made a motion to approve the waiver of fees request by applicant; second by Commissioner Morales: Vote 5-0; Approved.



Commissioner Doyle made a motion to grant the petition; second by Commissioner Johnson. In reaching its decision, the Board found the following conditions to exist:

1. Granting of the variance is in harmony with the purpose and intent of the West Hartford Code of Ordinances.
2. Based on the submitted flood study and review by the West Hartford Division of Engineering, the variance request will not adversely impact neighboring properties.
3. The applicant demonstrated compliance with all other requirements of section 177-8 of the West Hartford zoning ordinances.
4. The applicant demonstrated that the proposed plan will result in a net increase in the overall flood storage capacity of the site.

VOTE: 5-0

Voting in favor were Commissioners D'Amato, Doyle, Grise, Johnson, and Morales

Opposed - 0

Petition Approved.

#03-19 **1139 Farmington Avenue** – Petition of B. Bowin (architect) requesting a variance to section 177-20, Obstructions in Yards. Requesting a +/- 3.8 foot variance to the required 10 foot side-yard setback on the west side of the home for the construction of a new 2-story addition, per plans on file. **R-10 zone**

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner Morales made a motion to grant the petition; second by Commissioner Doyle. In reaching its decision, the Board found the following conditions to exist:

1. Granting of the variance is in harmony with the purpose and intent of the West Hartford Code of Ordinances.
2. The variance request will not adversely impact neighboring properties.
3. The variance is necessary due to the property being a corner lot which caused the home to be built close to the westerly property line in addition to the home not being built parallel to the property lines.

VOTE: 4-0

Voting in favor were Commissioners: Doyle, Grise, Johnson, and Morales

Opposed – 0

Recused – Commissioner D'Amato

Petition Approved.

- Approval of minutes from the regular meeting held on January 23, 2019 (postponed)
- Adjournment (Motion: Doyle; Second; Johnson/ Approved. Meeting adjourned at 8:05pm)